p 21 F

App. F. IX-4

1926-7

File No. 54-26.

Previous References (R.A.)

Legis 12-23-31
R.A 29-23-17, 23, 29, 39 & 52.
Ref 19-23-(1-9)
Legis 14-23-14
Later References
R.A 15-27-(1 to 5)
~~R.A 54-26-(1 to 5)~~
" 54-26-(35 to 39)

Serial Nos. 5, 6, 17, 18 & 30.

General and Revenue Secretariat.

Serial Nos. Five

Part B for June 1927.

SUBJECT

Election of a member to the Representative Assembly from the Balija Sangham, Bangalore.

---

30) To the Collector, Mysore Bangalore.
Notifn. no Rel 1652 dt 21.5.27.

Declares Mr. G.K. Balija 1st Grade Pleader and municipal Commissioner, Civil & M. stations Bangalore as duly elected to the Rep. Assembly by the Balija Sangham to represent the Banajiga Community.

Memo no. 1653 dt & 1654 dt 21.5.27.
To copy to President, Balija Sangham
" D.C. Bangalore.

Ghulpillai
26/6/27.

G. R. S. III—3]

ROUTINE NOTES.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

B.—Should routine notes be written on small slips the notes must be gipoed, or slips pasted on this form.

6.9.6
DC/SP/26

From the D.C. Poona
Balaji Sakharam Bapat
Bombay Presidency

Forth State Bank of India
Meeting held the Balaji Sakharam
Kelkar Bungalow Sadashiv Peth
at 6 P.M. on 23.4.27, 39 —
Members were present & voted,
Rao Bahadur Balaji, Mahadev Ram
Anand Chandra Rao Chandra
Bungalow Peth 23 Votes & the
Sakharam got 23 Votes & the
other candidate 16 Votes & the
said Balaji has been declared duly
elected as the representative
of the Sakharam & the R. A.
& that Balaji Sakharam Bungalow
is very grateful to Government
for having extended to him the privilege
this franchise.

I submitted.

2 The report has not been
signed by those that assisted
him in conducting the election
the officer who conducted the
elections, the names of the
candidates voted for, have not
been given, & the voting papers
have not been forwarded
to this office in a sealed
cover, as required by para.
of Note No: 3920
Legis 12-23-18

G. R. S. III—3]

ROUTINE NOTES.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

D/ 15th January 1924

3. Draft Gallery for Misc
is submitted for approval.

27/4

Secy to D.

(4) Appd
25/4

(5) Issued
Dno
28/4

Issued No. REL. 1261
dt 29/4.

Sr. 6 A.
29/4

From
Mr B. D. Naidu, Bangalore;
dt: 22.6.27.
States that the election of Mr G. K.
Bailey is totally invalid, and that he
has therefore prosecuted an objection
petition to the Dy Comr Bangalore to set aside
the said election & encloses copy of the
petition for information & requests
that the approval of the said election
may be deferred pending decision of the
objection petition.

Sr. 17

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

(3)

G. R. S. III—3]

ROUTINE NOTES.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

S.C. 18 From the Presiding Officer Balija Sangha Bangalore City dtd. 23.5.27 Stating that the Name of the Complt Candidate was Mr. B. D. Naidu, & that there were not No Associates were appointed to assist the Polling Officer & the Voting paper duly signed by the Polling Officer was not issued to each Member, but only pieces of plain paper with oral instructions were issued forwards the voting papers in a sealed cover.

(6) Submitted.

(7) The election of Mr. Balija by the Balija Sangham is contested by Mr. B. D. Naidu the defeated Candidate in the Who has presented an appeal petition dated 23.5.27 before the Bangalore City Dy Com. on 24.5.27 after depositing Rs 100/- as required by Rule

From the report of the Presiding Officer dtd 23-5-27, it will be seen that No Associates were appointed to assist the Polling Officer who conducted the elections as envisaged by Rule 5 of the rules D/15.1.24, & the Voting papers duly signed by the

PMD 11

N. B.—Should routine notes be written on small slips the notes must be pasted, or slips pasted on this form.

(4

G. R. S. III—3]

ROUTINE NOTES.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

by the Polling officer when
not distributed to each Member
according to Rule 6 thereof.
It is not known whether a
Notice calling for the meeting
held for the purpose was duly
Communicated to all the Members
as Fuzle Ali has however received 23 Votes, while B. D. Naidu only 16
(8) Mr. Baliga has
It is therefore a point for
orders, whether the election
of Mr. Baliga can be
upheld & notified in
spite of these irregularities
Rule 9 of the rules
clear about
declaring the candidate who has
secured the largest number of
Votes as duly elected & notified
his name.

(9) There are very
material irregularities
5/5/27 lies in this case and
every rule prescribed
5-5-27 has been violated,
as is clear from the
Presidents' report itself.

5/5/27.

(10) Are the two material irregularities?
1st. Last Vote known at this St
2nd. Election
Member,

(11) Put up if there are any
references to show if on an
irregularities such

N. B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

G. R. S. III—3]

ROUTINE NOTES.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

elections.

MWS. N.A. 10.5.

FR 10.5.37

RA 29-23 (Files 17, 23 29, 39, 252) Flag E.

(a) submitted.

(b) The only instance in which Govt set aside the election finding of the Dy Comr and reversed confirmed the original election is that of Mr. Venkata-raya Reddi of Chikballapur. — and the election is pertup

11/5

(c) The communication from the President of the Balija Sangham does not show whether even the notice of the meeting was sent to all the members. Proper voting papers were not distributed; only bits of paper were used for the purpose, and it is said that the names of candidates were announced. But when an election dispute a petition has been filed before the Dy. Comr. perhaps his decision has to be awaited; and it is after an appeal

*N. B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

(6

L. 2570

G. R. S. III—3]

ROUTINE NOTES.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

against the decision of the
D.J. court is brought before
Govt. that Govt. cannot
take up the question of setting aside or not.

(15) Submitted for orders.

11.5.27

Head Attendant is to

(16) The petitioner has sent 6.8.0
H.D. Assistant
a copy of his petition filed before
the Dy. Co. The Dy. Co. has to find
whether the irregularities alleged
are material or not.

(17) Pending the enquiry by the
Dy. Co. the pet. wants the declaration
of the successful Candidate
kept in abeyance. This cannot
be done. Under Rule 9 (page
29 Vol II) the name of the successful

N. B.—Should routine notes be written on small slips the notes must be copied, or slips pasted on this form

(7

G.R.S. III—3]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

Candidate should be declared duly elected.

(18) Kind attention is invited to Rule 6(c) (page 89. Vol I) 6(c) was deleted (vide 0)
This shows that the name of the successful candidate may be declared & then the R.O. modifies the result of the election the name of the candidate declared by the R.O. may be notified.

Leg Ld) 16/5

(19) There is no rule prohibiting the declaration of a candidate as duly elected pending the result of an election dispute.

(20) If the Court decides in favour of a defeated candidate, then his name will be substituted in the place of one now declared elected. This was done at the last elections.

(21) In other cases where there are disputes pending in Courts now

N B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

750, 696 dt

G.R.S. III—3]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

D WING'S OFFICE.
Issued on
16. MAY 1927
No. 8760

the names of the successful candidates have declared & published in Gazette already.

(22) In this case also the same procedure may be followed & the name of the successful candidate may be declared & published in the Gazette.

Dewan.

16-5

16.5

(23) 16.5.27

17.5

(24) Draft 19/5

(25) Draft submitted for appl

19/5

Secy L.D

20/5

appd

20/5

20/5

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

750 12 '27 xc

(9.

G.R.S. III—3]

Routine Notes. R.A 54—26.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

30/ To the Compiler, Supreme Legislative
Notification No Rel 1652 & 21.5.27
Declare Mr. L. K. Balija, 1st Grade
Pleader, C & M. Station, Bangalore
as duly elected to the Rep. Assembly
from the Balija Sangham
Copy to Presdt. Balija Sangham
" D.C. Bangalore.

Printed Copies received
B. 25/6.

Proof
Sno
21/6

B 25/6

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

Bangalore,
Dated 24th April 1927.

From

M. R. Rv. B. V. Ramaswamy Chetty Garu B.A.,
Advocate and President Balija Sangham
Gollarpet, Bangalore City.

To

The Secretary to the Government,
Local and Legislative Departments,
(Representative Assembly Section),
Bangalore.

Sir,

With reference to your letter No. Rel 1075-84-R dated 12th April 1927, I have the honour to inform you that in the general meeting of the Balija Sangham held in the Sangham premises at 6 P. M. on Saturday the 23rd April 1927, 39 members were present and voted. Mr. G. K. Balija, 1st Grade Pleader, Municipal Commissioner Civil and Military Station, Bangalore and the General Secretary of the Sangham got 23 votes and the other candidate got 16 votes. Hence Mr. G. K. Balija has been duly declared elected as the representative of this Sangham to the Representative Assembly, Mysore.

The Balija Sangham Bangalore is very grateful to the Government for having extended to them the above privilege this term also.

I beg to remain,

Sir,

Your most obedient servant,

1. Returned with compliments
2. The name of the other candidate

D-768

R.t 54-26-18

(2

3. Unfortunately two out eight, two members who have been who stood for election were not appointed to help the polling officer as required by rule 5 and 6 of Election Rules 1920 voting papers duly signed by the polling officers containing the names of candidates together with instructions as to the manner in which votes should be recorded were not distributed, but only piece of plain paper was issued with oral instructions to vote for each candidate as the voter liked. The names of the two candidates were also announced. Hence the report is signed only by myself as two other members were not appointed to assist me. The voting papers which have been prepared in the enclosure in which they were on the date of election are hereby forwarded enclosed in a sealed cover now sealed.

Bangalore
3 May 1927

OFFICE OF THE SECRETARY
4 MAY 1927
REPRESENTATIVE AND LEGISLATIVE

8-1
4/5/27
4/5

Election
6/16 — 27
Sealed
Envelope containing
Exhibit P4
and Voting papers
Containing these
in
CMM

20/9/27

Dy Commissioner's Office
Bangalore

APP. F. VI. Gl.]

SUBJECT.....

(3)

.....

.....

Diary No. of letter replied to.....

General and Revenue Secretariat .
( )
the *192*

Date of issue 29/4/27

Signed by M. M. V

List of enclosures.....

Copied by.....

Examined by.....

Section RA

File No. 52-26

Serial No 6

No. Pol. 126/

Encl. one

To The President

Bulija Sangham

Mandi Dodda narasimhayya's

house, Ranasingpet

Bangalore city.

Sir,

With reference to your letter dt. 24.4.27 reporting the results of election held in the Bulija Sangham on 23.4.27 I am directed to point out, stating that the Sangha is ineligible to Government for the recognition granted to it during this triennium and to state that the report is not signed

over

(4

by the gentlemen who assisted
the Polling Officer, the Names
of the Candidate voted for
have not been given & the
Voting papers have not been
forwarded in a sealed packet
to this office as required by
Rule 8 of the Rules published
with Govt. of India No. P.3920/Legis 12-23-18
dt 15th January 1924. Law therefore
to ~~request you~~ return the report
~~of~~ filling up the omissions & returning it
to this office ~~very~~ early ~~as to the~~
~~necessary particulars as noted~~
~~above~~

Yours
D.4 Secretary to Govt.
Law Department

OFFICE OF THE SECRETARY
4 MAY 1927
REPRESENTATIVE ASSEMBLY
AND
LEGISLATIVE COUNCIL

9.750 (5)
R A 54-26-17

To,

The Secretary,

The Government of His Highness,

Legislative Department,

B A N G A L O R E.

Ref:- Election of a member to the Mysore Representative Assembly from the Balija Sangham, Bangalore.

Sir,

I am given to understand that the declaration of election of one Mr. G.K.Balija, who is said to have duly elected from the Sangham, has been sent to the Government for Confirmation.

The said Election is totally invalid and the petitioner has therefore presented an Objection Petition to the Deputy Commissioner, Bangalore District to set aside the said Election.

A copy of the petition is herewith forwarded for your kind information.

I therefore pray that the approval of the said Election may be deffered pending decision of the Objection Petition.

I remain,

Sir,

Your Most Obedient Servant.

B Ramaiah

Bangalore City.
Dated 2-5-1927.

(6

BEFORE THE DEPUTY COMMISSIONER, BANGALORE DISTRICT, BANGALORE.

In the matter of Election of a member to the Mysore Representative Assembly from the Balija Sangham, Bangalore.

----o----

OBJECTION PETITION.

----o----

Petitioner.	Opponent.
B.D.Naidu, residing at " Abshot " High Ground Bangalore.	G.K.Balija, Pleader, Main-Guard Cross Street, Bangalore Contonement.

The petitioner above named begs to state as follows:-

1. The petitioner and the opponent are the members of the Balija Sangham, Bangalore. The said Sangham having been given the right of returning a member to the Mysore Representative Assembly, the election of a member by the Sangham was held on 23-4-1927 and the opponent who is said to have secured 23 Votes as against 16 in favour of the petitioner, was declared to have been elected.

2. The election of the opponent is invalid as it is tainted with the following material irregularities and illegalities:-

3. The notice published by the Secretary calling for a meeting to elect a member is unauthorised as it was not approved by the Governing body or the Managing Committee of the Sangham.

4. The said notice is further defective as it did not fix any definite period within which the votes may be recorded thus excluding many members eligible to vote -

from exercising their franchise.

5. The notice of Election was not duly communicated in time to all the members of the Sangham, nor was it published in the premises where the election took place.

6. The notice calling for applications from the members intending to stand as candidates was communicated to some members on the 21st and 22nd April 1927 requiring them to send their intention of standing as candidates in writing so as to reach the Secretary within the 19th of that month, and the applications sent late were also entertained and acted upon.

7. The list of candidates standing for election was not posted on the notice Board. Many of the Voters did not in fact know the names of the candidates.

8. The time and date of Election were without authority fixed arbitrarily by the Assistant Secretary and the Election was conducted by the President and Polling Officer without any relation to the time fixed.

9. The Voters were openly allowed to be influenced by corrupt practice such as coercion even within the premises where voting took place.

10. No list of voters present was made. Persons who were not members were freely allowed to vote; and in some cases, a single voter has recorded more than one vote.

11. The Votting was not by ballot.

12. Voters were allowed to record their votes by proxy, which is invalid.

13. No proper Voting paper was used, and the names of

(8

of the candidates was not mentioned thereon. The voter - was not identified in any manner, nor his signature taken - to any counterfoil or any list of voters prepared. Further, the voting papers issued to the voters were not signed by - the Polling Officer and no associates were appointed. Many of the votes were therefore surreptitiously introduced.

14. The necessary deposit of Rs 100/- is herewith - produced.

The petitioner therefore prays for a declaration that the Election of the opponent is invalid and the petitioner be declared to have been duly elected; or that the Election be set aside and a fresh Election be ordered to take place.

Sd/ B.D.Naidu.
PETITIONER

Bangalore.
Dated 27-4-1927.

I, do hereby solemnly declare that what is stated above is true and make this affirmation at Bangalore City on this the 27th day of April 1927.

Sd/ B.D.Naidu.
PETITIONER

" True Copy "

APP. F. VI. Gl.]

(9

SUBJECT.....

.....

.....

Diary No. of letter replied to 750 696 Ge Memo 11 15

Section RA
File No. 57-26
Serial No. 30
Notification No. Rev. 1659

General and Revenue Secretariat
(RA)
the 192

To

.....

Under Rule 9 of the rules framed with Notification No. D 2399 — Legis 12-23-18 dt 15th January 1924, Mr. G. K. Balija, 1st Grade pleader and Municipal commissioner, Cuddapah Station, Bangalore who secured the largest number of votes at the election held on 23rd April 1927 by the Balija Sangham, Bangalore City is declared duly elected to the Legislative Assembly to represent the Banajiga Community.

By order

Secretary to Govt
Law Department

To the Comptroller, Mysore

Date of issue 21/5/27

Signed by Asst. B. N

List of enclosures.....

Copied by.....

Examined by.....

over

20/5

WD 01265—GPB—31,000—24-12-25

for publication in the Gazette with the request that 150 spare copies of the same may be caused to be sent to this Office very early.

Memo No. REh 1653 dt 21/5

Copy of the above is forwarded to the President Baliya Sangram, Golaghat Bungalow etc for information with reference to correspondence ending with his letter dt 8-5-27 [illegible].

By order,

For Secretary to Govt
Law Department

Memo No. REh 1654 dt 21/5/27

Copy forwarded to the Dy Comr. Bungalow dt for information

By order

For Secretary to Govt
Law Department

G.R.S. III—3]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

LAW SECRETARIAT.

No. Rel. 1652—*R. A.* 54-26-30, *dated* 21*st May* 1927.

Under Rule 9 of the Rules issued with Notification No. P. 2399—Legis. 12-23-18, dated 15th January 1924, Mr. G. K. Balija, First Grade Pleader and Municipal Commissioner, Civil and Military Station, Bangalore, who secured the largest number of votes at the election held on 23rd April 1927, by the Balija Sangham, Bangalore City, is declared duly elected to the Representative Assembly to represent the Banajiga community.

By Order,
B. NAGAPPA,
Secretary to Government,
Law Department

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.